



STATE OF WASHINGTON
DEPARTMENT OF LICENSING
PO Box 9020, Olympia, Washington 98507-9020
REAL ESTATE COMMISSION MEETING
MINUTES

DATE: September 21, 2010

PLACE: Kennewick City Hall
210 W. 6th Avenue
Kennewick, WA 99336-0108

CONTACT PERSON: Jerry McDonald, Administrator
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CALL TO ORDER: Ralph Osgood, Assistant Director/Chair 9:00 a.m.

ORDER OF AGENDA: OPEN SESSION

A. Attendance

Members Present:

Ralph Osgood, Assistant Director/Chair
Jeff Thompson
Dan Murphy
Kyoko Wright, Commissioner
Paul Chiles, Commissioner
Cate Moye, Commissioner, Vice Chair
George Pilant, Commissioner

Staff Present:

Jerry McDonald, Administrator

B. Approval of Agenda: Agenda approved as presented

C. Minutes from the June 30, 2010 Commission Meeting: Minutes approved as amended (Jeff Thompson added to list of Commissioners in attendance)

D. WAC Changes – Jerry McDonald

a. Rules Hearing

- i. Advertising: Jerry McDonald will write a concise explanatory statement and file a CR 103 on WAC 308-124B-210. The rule will be effective 31 days after filing.
- ii. Jerry McDonald will write a concise explanatory statement and file a 103 on WAC's 308-124E100, 125, 130, 135, 137, 140, and 145. These rules should be effective 31 days after filing.

- b. **Future Adjustments to Rules:** Jerry McDonald noted that not all adjustments to the rules were identified. The real estate commission stated that they would begin to review new suggestions or adjustments after January 1, 2011.
- c. **Director's Regulatory Authority:** Jerry McDonald presented a first draft of "Time, Place, and Manner" document to add to the WAC. Staff will give an updated version to the sub-committee.

E. Short Sales – Cate Moyer reported that the Short Sale Task Force, a combined effort of DOL and DFI, is creating two documents to inform real estate professionals and the general public about the options and pitfalls of Short Sales. Annie Fitzsimmons is authoring a pamphlet similar to the "Law of Real Estate Agency" which is expected to be completed by mid October. Also in process is a "Guidelines" written by DFI and DOL for licensees and mortgage brokers. Availability will include the NWMLS and the DOL websites.

F. AMP Briefing – Larry Fabrey

Larry Fabrey led a discussion regarding the July 1, 2010 implementation of the simulation examination for managing brokers and the Electronic Eligibility Database (EED). The commissioners approved starting simulation testing effective July 1, 2011 and a desired startup for EED to begin on July 1, 2011.

G. WCRER Briefing – Glen Crellin

Glen Crellin announced that the Newsletter has been published and presented an overview of the "Recent Home Buyers Survey" WCRER conducted.

H. Budget – Jerry McDonald

Jerry McDonald reported that Real Estate spending is 4.5% below our allotment. There are education funds available to promote awareness among the public as well as Real Estate Licensee. Ralph Osgood commented that we are 10% down in staff in our division due to the governor's hiring freeze and that that number may increase as more people retire and leave for various reasons.

I. Other Business

- a. Jerry McDonald suggested that the December 9, 2010 commission meeting be conducted through a conference call to address the governor's request that all commissions and boards reduce their cost and the number of meetings. The commissioners agreed.
- b. Jerry McDonald reported that there was concern that as a designated broker you can be the broker for more than one firm, but if a designated broker you wants to have branches they must have branch managers. This will be discussed a future meeting for Changing Business Practices.

J. Open Forum: Bob Mitchell stated that the Washington Realtors have no recommended changes to the RCWs at this time.

K. Summary of Action Items:

- a. Director's authority will be addressed under Changing Business Practices as soon as possible.
- b. New suggestions for rules will be addressed after the first of the year.
- c. Managing brokers simulation testing will begin on July 1, 2011.
- d. Electronic Eligibility Database (EDD) will begin on July 1, 2011 provided rules are in place.
- e. The December 9, 2010 commission meeting should be available by conference call.

L. Adjourn

Respectfully Submitted

Jerry McDonald, Administrator

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